UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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DANIEL MILLER,

                 Plaintiff,

       -against-

COUNTY OF NASSAU, MICHAEL J.
SPOSATO, Sheriff, MICHAEL GOLIO,
Captain, INV. GARCIA, INV. JANE
DOE, INV. MORRIS, INV. HENDERSON,
INV. JOHN DOE, CORPORAL JOHN DOE,
CORPORAL MARCIANO, CORR. OFFICER
HARVEY, CORR. OFFICER MURPHY,
CORR. OFFICER MENDEZ, CORR.
OFFICER JOHN DOE #1, CORR. OFFICER
HUBER, CORR. OFFICER BAUER, CORR.
OFFICER JOHN DOE #2, CORR. OFFICER
JOHN DOE #3, CORR. OFFICER JOHN DOE
#4, CORR. OFFICER DeMANITO, and
CORR. OFFICER BARRETTI,

                Defendants.
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ORDER
12-CV-4430(JS)(WDW)

APPEARANCES:
For Plaintiff: Daniel Miller, Pro Se
                      12003565
                      Nassau County Correctional Center
                      100 Carman Ave.
                      East Meadow, NY 11554

For Defendants: No appearances

SEYBERT, District Judge:

       By Order dated September 21, 2012, the undersigned denied the application of incarcerated pro se plaintiff Daniel Miller ("Plaintiff") to proceed in forma pauperis pursuant to the "three strikes" provision of 28 U.S.C. § 1915(g). Plaintiff was directed to pay the $350.00 filing fee within fourteen (14) days of the date of the September 21, 2012 Order, and was warned that failure to do so would lead to the dismissal of the Complaint. See Order, dated

September 21, 2012, Seybert, D.J. To date, the Plaintiff has not paid the fee nor has he otherwise communicated with the Court with regard to this case. Accordingly, the Complaint is now dismissed without prejudice and the Clerk of the Court is directed to close this case.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444–45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: October 15 , 2012
        Central Islip New York